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PTO/SB/21 (04-07)

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# TRANSMITTAL FORM

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Total Number of Pages in This Submission

65

Application Number 10/822,037

Filing Date April 8, 2004

First Named Inventor Mark C. BATES

Art Unit 3763

Examiner Name Laura A. BOUCHELLE

Attorney Docket Number MCB-010 DIV (33769-1013)

## ENCLOSURES (Check all that apply)

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Luce, Forward, Hamilton & Scripps LLP		
Signature			
Printed name	Michael J. DeHaemer, Jr.		
Date	April 30, 2007	Reg. No.	39,164

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Signature			
Typed or printed name	Anna M. Skolnick	Date	April 30, 2007

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<i>In re</i> Patent Application of:	)	Group Art Unit:	3763
	)		
Mark C. BATES	)	Examiner:	Laura A. BOUCHELLE
	)		
Appl'n No.: 10/822,037	)	Confirmation No.	9083
	)		
Filed: April 8, 2004	)		
	)		
For: APPARATUS FOR THE	)		
DELIVERY OF DRUGS OR	)		
GENE THERAPY INTO A	)		
PATIENT'S VASCULATURE	)		
AND METHODS OF USE	)		
	)		

San Diego, California  
April 30, 2007

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

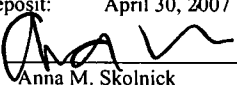
Dear Sir or Madam:

In accordance with 37 C.F.R. § 1.56, Applicant makes the documents, listed on the enclosed form PTO/SB/08a, of record in the above-identified application. In accordance with 37 C.F.R. § 1.97, this statement is not to be construed as a representation that a search has been made, and is not a representation that the information cited is effective as prior art to the application or is material to patentability.

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\* \* \*

A copy of the non-U.S. documents, which is listed on the accompanying Form PTO/SB/08, is enclosed. Also enclosed is a photocopy of a Supplementary European Search Report in a counterpart international application, which identifies the non-U.S. documents.

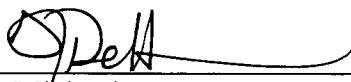
It is respectfully requested that these documents be (1) fully considered by the U.S. Patent and Trademark Office in the examination of the above-identified application; and (2) printed on any patent which may issue on this application. It is also respectfully requested that a copy of Form PTO/SB/08, as considered and initialed by the Examiner, be returned to the undersigned with the next communication in accordance with M.P.E.P. § 609.

In accordance with 37 C.F.R. 1.97(e)(1), each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office or PCT in a counterpart foreign or PCT application not more than three months prior to the filing of the Information Disclosure Statement. Therefore, it is believed that no fee is required in connection with this submission. If a fee is required, please charge Deposit Account No. 50-2298, in the name of Luce, Forward, Hamilton & Scripps LLP.

Date

4/30/07

Respectfully submitted,



Michael J. DeHaemer, Jr.

Attorney for Applicant(s)

Reg. No. 39,164

c/o LUCE, FORWARD, HAMILTON  
& SCRIPPS LLP

11988 El Camino Real, Ste. 200

San Diego, California 92130

Phone No.: (858) 720-6300

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**Complete if Known**

*(Use as many sheets as necessary)*

Sheet	1
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Application Number	10/822,037
Filing Date	April 8, 2004
First Named Inventor	Mark C. BATES
Art Unit	3763
Examiner Name	Laura A. BOUCHELLE
Attorney Docket Number	MCB-010 DIV (33769-1013)

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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 96/39098 A	12-12-1996	Nephros Therapeutics Inc.		
		FR 2 764 503 A1	12-18-1998	Braun Celsa SA		✓

/Laura Bouchelle/

03/26/2008

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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